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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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AZ CORP COMMISSION
DOCKET CONTROL

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COMMISSIONERS

GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

IN THE MATTER OF THE APPLICATION OF
PARK VALLEY WATER COMPANY FOR
APPROVAL OF THE SALE AND TRANSFER OF
WATER SYSTEM ASSETS AND CANCELLING
CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. W-01653A-12-0043

IN THE MATTER OF THE APPLICATION OF
FOOLS HOLLOW WATER COMPANY FOR
APPROVAL OF THE SALE AND TRANSFER OF
WATER SYSTEM ASSETS AND CANCELLING
CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. W-02042A-12-0062

PROCEDURAL ORDER

BY THE COMMISSION:

On February 6, 2012, Park Valley Water Company ("PVWC") and Fools Hollow Water Company ("FHCW") filed with the Arizona Corporation Commission ("Commission") a joint application requesting approval of the Commission for the following: to authorize the sale and transfer of the PVWC and FHCW water system assets to the City of Show Low ("City"); and to cancel the associated Certificate(s) of Convenience and Necessity ("Certificate(s)") of the aforesaid water systems. Their joint application stated that PVWC and FHCW (1) have the same ownership, (2) are physically adjacent to one another and interconnected with one another, and (3) are operated as one water system pursuant to an October 15, 1986, Approval to Operate issued by the Arizona Department of Health Services.

On February 15, 2012, the Commission's Docket Control advised the attorney for the utilities that the Commission's Hearing Division had determined that separate applications would need to be filed for PVWC and FHCW, respectively, and that Motion(s) to Consolidate the two separate applications would also need to be filed by PVWC and FHCW. The Commission's Docket Control representative advised the attorney for the utilities that the joint application filed on February 6, 2012, would be deemed

1 to be the application of PVWC, with the Docket Control designation of Docket No. W-01653A-12-
2 0043; and, the separate application which was to be filed subsequently by FHWC would be assigned
3 a separate Docket Control designation upon filing.

4 On February 23, 2012, FHWC filed a separate application which requested Commission
5 approval of the transaction for the sale of the utility's assets to the City and cancellation of FHWC's
6 Certificate.

7 On February 27, 2012, PVWC and FHWC each filed a Motion to Consolidate the above-
8 captioned proceedings pursuant to A.A.C. R14-3-107(H) because the issues are substantially the same
9 and the parties will not be prejudiced by the consolidation of the proceedings. PVWC and FHWC
10 further represented that the City supported their Motions.

11 On March 6, 2012, by Procedural Order, the dockets were consolidated

12 On March 9, 2012, the City of Show Low ("City") filed an Application to Intervene.

13 To date no objections have been filed and accordingly, the City should be granted intervention.

14 IT IS THEREFORE ORDERED that the City is hereby granted intervention.

15 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized
16 Communications) applies to this proceeding.

17 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
18 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
19 Supreme Court Rule 42). Representation before the Commission includes the obligation to appear at
20 all hearings and procedural conferences, as well as all Open Meetings for which the matter is
21 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
22 Administrative Law Judge or the Commission.

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1 IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter,
2 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by
3 ruling at hearing.

4 DATED this 23rd day of March, 2012

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6 
7 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered
9 this 23rd day of March, 2012 to:

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24 Debra Broyles
Secretary to Marc Stern
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